

From: Bill Wodarczyk
To: Microsoft ATR
Date: 1/27/02 2:56am
Subject: Microsoft Settlement

**** Confidential ****

Nature William Wodarczyk

62 N. Shaddle Avenue

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January 18, 2002

Attorney General John Ashcroft

US Department of Justice

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Mr.. Ashcroft:

With 40 years experience in the world-leading American computer software industry, mostly in "big iron" IBM mainframes, I feel I am qualified to comment on the Microsoft antitrust lawsuit. I am reminded of the eighteen-year-long antitrust case against IBM, which at some points, severely damaged that company and held back progress in American industry.

Bill Gates has earned his success in a highly competitive industry. When IBM's original personal computer, the "PC" was released the MS-DOS of Gates' Microsoft became the dominant among several operating systems because of a lower price, attention to customers' desires and a dogged search for useful innovations. Since Microsoft's Windows was introduced, it has competed with

the Apple Macintosh for ease of use. However, Windows has been a part of a vibrant, diverse, and experimental PC community, while Apple has held its intellectual cards very close to the vest, both for software and for hardware. In this competition, Microsoft's software, combined with hardware from many, many manufacturers got the nod of more consumers. That is simply American free enterprise. In the fast changing software industry Microsoft will only maintain its position against erstwhile competitors, like Apple, the Unix's, Linux, BeOS, Palm, and emerging companies by attention to business fundamental and relentless innovation. The lawsuit is like ankle weights to handicap the best ballerinas, to stifle a determined spirit. Still, I prefer my free enterprise ---- free.

The ability of computers to work together is crucial to the effectiveness and efficiency of an enterprise, and, now with the Internet, the whole computing world. Interoperability through compatibility is much more efficient and reliable than translations, emulations, work-arounds, and patch-up-jobs.

By opening up both Microsoft's Windows programs and its business practices, the settlement should provide the technical and corporate interoperability to furnish a much-needed boost for the American computer industry. Internal interfaces and native server interoperability protocols for Microsoft's Windows programs will be revealed, contracts made non-exclusive, retaliation for promoting non-Microsoft products prohibited, uniform price and terms lists to large computer makers become non-negotiable, addition and removal of programs integral to Windows made easy. Competitors will benefit. Microsoft will be able to hold on if it can work with the industry and continue to innovate. The settlement is about as good as could be expected. I appreciate your work to see the settlement reached. I would appreciate your continued leadership to see that the settlement is approved by the federal judge and implemented. Thank you.

Sincerely,

William Wodarczyk